

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BEVERLY CLARK, JESSE J. PAUL,
WARREN GOLD, and LINDA M.
CUSANELLI,

Plaintiffs,

v.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Defendant.

Civ. No. 08-6197 (DRD)

ORDER

This matter having come before the Court on Defendant's Motions to Strike and Dismiss; and the Court having considered the submissions and oral argument of the parties; and for the reasons set forth in an Opinion of even date;

IT IS on this 15th day of March, 2011, hereby ORDERED that:

1. Defendant's Motion to Strike is GRANTED with respect to the claims of Plaintiffs' Fourth Amended Class Action Complaint arising under New York law.
2. Defendant's Motion to Strike is DENIED otherwise.
3. Defendant's Motion to Dismiss is DENIED.

s/ Dickinson R. Debevoise
DICKINSON R. DEBEVOISE, U.S.S.D.J.